

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BYTEMARK, INC.,

Plaintiff,

vs.

MASABI LTD.,

Defendant.

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Civil Action No. 2:16-cv-00543-JRG/RSP

JURY TRIAL DEMANDED

DEFENDANT'S EXHIBIT LIST

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
	D Ex. 7 (Jones Trans.) MAS-001750 MAS-002148-002153 MAS-002155-002157					Masabi's Recurring Revenues
	D Ex. 8 (Jones Trans.) MAS-005291-005292					Masabi's Profit and Loss
	D Ex. 9 (Jones Trans.) MAS-005172-005202					U.S. Operations Income Statement
	D Ex. 4 (Godber Trans.)					30(b) (6) Notice of Deposition
	D Ex. 5 (Godber Trans.) MAS-001709 MAS-001712-001713 MAS-001728-001731					JustRide's RFP Document
	D Ex. 6 (Godber Trans.) MAS-004287-004356					E-mail chain re: Bytemark and GlobeSherpa
	D. Ex. 1 (Bergdale Trans.)					Defendant's Rule 30(b)(6) Re-Notice of Deposition of Plaintiff Bytemark
	D. Ex. 2 (Bergdale Trans.)					Defendant's Rule 30(b)(1) Re-Notice of Deposition of Micah Bergdale
	D. Ex. 3 (Bergdale Trans.)					Plaintiff's First Amended Complaint

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
	D. Ex. 4 (Bergdale Trans.)					US Patent No.: US 8,494,967
	D. Ex. 5 (Bergdale Trans.)					US Patent No.: 9,239,993
	D. Ex. 6 (Bergdale Trans.)					Patent Application Titled A System and Method for a Trusted Mobile Device Payment Token
	D. Ex. 7 (Bergdale Trans.)					Patent Application Titled A Method and System for Distributing Electronic Tickets with Visual Display
	D. Ex. 8 (Bergdale Trans.)					Bytemark Summary of Total Billing to Customers Through 12/31/2016
	D. Ex. 9 (Bergdale Trans.)					Bytemark financial information
	D. Ex. 10 (Bergdale Trans.)					Bytemark "Use of Proceeds Through Next Two Years" document
	D. Ex. 11 (Bergdale Trans.)					Bytemark Executive Summary
	D. Ex. 12 (Bergdale Trans.)					Settlement Agreement and Release
	D. Ex. 13 (Bergdale Trans.)					Teaming Agreement
	D. Ex. 14 (Bergdale Trans.)					Feature list
	D. Ex. 15 (Bergdale Trans.)					Micah Bergdale email dated 5/4/2012
	D. Ex. 16 (Bergdale Trans.)					Greg Valyer email dated 5/9/2012
	D. Ex. 17 (Bergdale Trans.)					Greg Valyer email dated 8/29/2012
	D. Ex. 18 (Bergdale Trans.)					Alex Stewart email dated 1/29/2013
	D. Ex. 19 (Bergdale Trans.)					Micah Bergdale email dated 11/17/2012
	D. Ex. 20 (Bergdale Trans.)					Justin Deno email dated 3/25/2013
	D. Ex. 21 (Bergdale Trans.)					Justin Deno email dated 12/6/2013
	D. Ex. 22 (Bergdale Trans.)					Micah Bergdale email dated 3/24/2014
	D. Ex. 23 (Bergdale Trans.)					Micah Bergdale email dated 4/14/2014
	D. Ex. 24 (Bergdale Trans.)					Micah Bergdale email dated 4/10/2014
	D. Ex. 25 (Bergdale Trans.)					Micah Bergdale email dated 4/25/2014
	D. Ex. 26 (Bergdale Trans.)					Micah Bergdale email dated 5/6/2016
	D. Ex. 27 (Bergdale Trans.)					Nicolas von Stackelberg email dated 7/20/2015
	D. Ex. 28 (Bergdale Trans.)					Micah Bergdale email dated 1/8/2015
	D. Ex. 29 (Bergdale Trans.)					Greg Sica email dated 8/19/2014
	D. Ex. 30 (Bergdale Trans.)					Micah Bergdale email dated 6/7/2014
	D. Ex. 31 (Bergdale Trans.)					Micah Bergdale email dated 4/29/2014

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	D. Ex. 33 (Bergdale Trans.)					Alex Stewart email dated 6/25/2014
	D. Ex. 34 (Bergdale Trans.)					Alex Stewart email dated 9/30/2015
	D. Ex. 35 (Bergdale Trans.)					Bytemark RFP to Denver RTD Board
	D. Ex. 36 (Bergdale Trans.)					Plaintiff Bytemark's Responses and Objections to Masabi's First and Second Set of Interrogatories
	D Ex. 37 (Bernstein Trans.)					Defendant's Rule 30(b)(6) Re-Notice of Deposition of Plaintiff Bytemark
	D Ex. 38 (Bernstein Trans.)					Bytemark, Inc. Summary of Total Billings to Current Customers through 6/30/17
	D Ex. 39 (Bernstein Trans.)					Document beginning with Bates stamp Bytemark-908
	D Ex. 40 (Bernstein Trans.)					Document beginning with Bates stamp beginning with Bates stamp Bytemark-861
	D Ex. 41 (Bernstein Trans.)					Elavon Portfolio Detail Document Bates stamped Bytemark-976
	D Ex. 42 (Bernstein Trans.)					Document Bates stamped BYTEMARK-976
	D Ex. 43 (Bernstein Trans.)					Document beginning with Bates stamp BYTEMARK-2192
	D Ex. 44 (Bernstein Trans.)					Document beginning with Bates stamp BYTEMARK-1409
	D Ex. 45 (Bernstein Trans.)					Contract for Mobile and Online Fare Application
	D Ex. 46 (Bernstein Trans.)					Contract between Des Moines Regional Transit Authority and Bytemark, Inc. for Mobile Ticketing Platform
	D Ex. 47 (Bernstein Trans.)					Subcontract to Support the Project "MARTA's Mobile Ticketing System Fee for Service
	D Ex. 52 (Bernstein Trans.)					Contract Revenue Summary
	D Ex. 53 (Bernstein Trans.)					Support/Hosting/Maintenance Costs
	N/A					Masabi's Rebuttal Report of Dr. Sigurd Meldal Regarding Non-Infringement of US Patent 9,239,993
	N/A					Masabi's Rebuttal Report of Dr. Sigurd Meldal Regarding Non-Infringement of US Patent 8,494,967
	N/A					USPN 8,494,967 (Ex. A - 1001) MAS-014841-014867
	N/A					File Wrapper for USPN 8,494,967 (Ex. A - 1002) MAS-014868-015106
	N/A					US Pub. 20080288302 A1 to <i>Dauok</i> pub. November 20, 2008 (Ex. A - 1003) MAS-015107-015115
	N/A					USPN 6,175,922 B1 to <i>Wang</i> issued January 16, 2001 (Ex. A - 1004) MAS-015116-015145
	N/A					US Pub. 20010014870 to <i>Saito</i> published August 16, 2001 (Ex. A -

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						1005) MAS-015146-015196
	N/A					US Pub. 20080308638 to <i>Hussey</i> published December 18, 2008 (Ex. A - 1006) MAS-015197-015211
	N/A					US Pub. 20100279610 to <i>Bjorhn</i> published November 4, 2010 (Ex. A - 1007) MAS-015212-015228
	N/A					USPN 9,239,993 (Ex. A - 1008) MAS-015229-015255
	N/A					US Pub. 20020060246 A1 to <i>Gobburu et al.</i> pub. May 23, 2002 (Ex. A - 1009) MAS-015256-015296
	N/A					US Pub. 20110283241 to <i>Miller et al.</i> pub. November 17, 2011 (Ex. A - 1010) MAS-015297-015306
	N/A					US Pub. 20100017872 to <i>Goertz et al.</i> pub. January 21, 2010 (Ex. A - 1011) MAS-015307-015327
	N/A					US Pub. 20070032225 to <i>Koencek et al.</i> pub. February 8, 2007 (Ex. A - 1012) MAS-015328-015371
	N/A					US Publication 20080263077 to <i>Boston</i> published October 23, 2008 (Ex. A - 1013) MAS-015372-015385
	N/A					US Patent 5,559,961.to <i>Blonder</i> published September 24, 1996 (Ex. A - 1014) MAS-015386-015393
	N/A					Masabi's Chart Showing Listing Of '967 and '993 Claim <u>Amend.</u> (Ex. A - 1015) MAS-015394-015401
	N/A					Claim Construction Memo. and Order, DKT No. 81, June 20, 2017 (Ex. A - 1016) MAS-015402-015436
	N/A					Masabi's Illustr. Of Ticket Purchase Operation based on Accused Code (Ex. A - 1017) MAS-015437-015438
	N/A					Masabi's Illustration Of Ticket Synchronization based on Accused Code (Ex. A - 1018) MAS-015439
	N/A					Masabi's Illustration Of Ticket Transfer Operation based on Accused Code (Ex. A - 1019) MAS-015400
	N/A					Masabi's Accused Product Source Code (Ex. A - 1020) MAS-014840 (Disc)
	N/A					Masabi's Accused Product Source Code produced and provided to Bytemark's Expert (Ex. A - 1021) MAS-004143-004206; 004820-005107
	N/A					PCT Patent Pub. No. WO 2009/141614 A1 (<i>Terrell</i> , Ex. A - 1022) MAS-015441-015483
	N/A					US Patent Pub. No. 2004/0030658 A1 (<i>Cruz</i> , Ex. A - 1023) MAS-015484-015502
	N/A					USPN 7,315,944 (<i>Dutta</i> , Ex. A - 1024) MAS-015503-015518

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	N/A					Bytemark's Preliminary Response to Case IPR2017-01449 dated September 6, 2017 (Ex. A - 1025) MAS-015519-015611
	N/A					Bytemark's Griffin Report, and Gottesman Report, including Charts B1/B2/D1 (Ex. A - 1026)
	N/A					Bytemark's Infringement Contentions including Charts B1/B2/D1 (Ex. A - 1027)
	N/A					Ben Whitaker's Declaration, with exhibits (Ex. A - 1028) MAS-015612-015621
	N/A					Excerpts of Masabi's Accused Source Code referenced in Dr. Sigurd Meldal's report (Ex. A - 1029) MAS-018204-018212
	N/A					File Wrapper for USPN 9,239,993 (Ex. A - 1030) MAS-015630-016190
	N/A					Non-Infringement Ticket Sync Chart for the '967 Patent (Ex. A - 1031)
	N/A					Non-infringement Ticket Transfer Chart for the '967 Patent (Ex. A - 1032)
	N/A					Non-infringement Chart for the '993 Patent (Ex. A - 1033)
	N/A					Deposition Transcripts and Exhibits for Micah Bergdale, Thomas Godber, Ben Whitaker, and Ronald Schoenbaum – MAS-016191-018165
	N/A					Analysis of USPN 8,494,967, Ronald Schoenbaum's Non-Infringement Opinion MAS-018166-018203
	N/A					Declaration of Sigurd Meldal on Invalidity of US Patent 8,494,967
	N/A					US Patent 8,494,967 (Ex. 1001)
	N/A					File Wrapper for US Patent 8,494,967 (Ex. 1002)
	N/A					Prior Art Reference US Patent (Daouk, Ex. 1003)
	N/A					Prior Art Reference US Patent (Wang, Ex. 1004)
	N/A					Prior Art Reference US Patent (Saito, Ex. 1005)
	N/A					Prior Art Reference US Patent (Hussey, Ex. 1006)
	N/A					Prior Art Reference US Patent (Bjorhn, Ex. 1007)
	N/A					ATOC 2008 Mobile Telephone Ticketing Layout Specification (Ex. 1008)
	N/A					EURAIL Magazine – Issue 19 – 2009 (Ex. 1009)
	N/A					PCT Patent Publication No. WO 2009/141614 A1 (Terrell, Ex. 1010)
	N/A					US Patent Publication No. 2004/0030658 A1 (Cruz, Ex. 1011)

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	N/A					US Patent No.7,315,944 (Dutta, Ex. 1012)
	N/A					Invalidity Chart for Terrell (Ex. 1013)
	N/A					Invalidity Chart for Cruz (Ex. 1014)
	N/A					Invalidity Chart for Dutta (Ex. 1015)
	N/A					Article on France TGV Ticket Validation – 2008 (Ex. 1016)
	N/A					US Publication 2005/0137889 (Wheeler, Ex. 1017)
	N/A					US Publication 2008/0052192 (Fisher, Ex. 1018)
	N/A					Article in the IEEE entitled “A Mobile Ticket Validation by VSS Tech with Time-Stamp” in 2004 (Chen, Ex. 1019)
	N/A					US Publication 2005/0240484 (Yan, Ex. 1020)
	N/A					US Publication 2009/0182634 (Park, Ex. 1021)
	N/A					NGRG Mobile Ticket Layout Proposal 2008 (Ex. 1022)
	N/A					https://leumund.ch/das-sbb-iphone-billet-003502
	N/A					https://leumund.ch/sbb-tickets-am-iphone-kaufen-006683
	N/A					https://www.youtube.com/watch?v=1UI2jLsisXw
	N/A					https://blog.quelbazar.ch/en/les-cff-ont-vendu-plus-dun-million-de-mobile-tickets-2/
	N/A					https://smsisthenewblack.wordpress.com/2009/02/04/get-train-tickets-on-your-phone/
	N/A					https://blogit.realwire.com/crosscountry-launches-mobile-phone-ticketing-for-uk-travellers
	N/A					https://eandt.theiet.org/content/articles/2009/01/crosscountry-launches-mobile-phone-ticket-trial/
	N/A					http://www.gautrain.co.za/newsroom/2008/07/heathrow-express-launches-e-ticketing/
	N/A					https://web.archive.org/web/20100614051638/http://www.masabi.com:80/tour/operators/

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	N/A					https://www.slideshare.net/gvandutt/mobile-based-ticketing-a
	N/A					http://www.thejoekorner.com/tokens/ind-ex-centennial.html
	N/A					http://newsroom.sprint.com/sprint-to-bring-mobile-ticketing-to-monorail.htm
	N/A					https://phone.news/ctia-the-sprint-powered-monorail-1228/
	N/A					http://theponderingprimate.blogspot.co.uk/2006/04/sprint-offers-mobile-ticketing-for.html
	N/A					http://www.tomshardware.co.uk/sprint-nextel-mobiletickets-lasvegas-monorail.news-19622.html
	N/A					http://www.businesswire.com/news/home/20060404005312/en/Sprint-Bring-Mobile-Ticketing-Monorail-Las-Vegas
	N/A					Declaration of Wayne Lee, 2017 (Ex. 1023)
	N/A					UK Patent Application No. GB 2390211 A (Stanford, Ex. 1024)
	N/A					European Patent Application No. EP1439495 A1 (Roldan, Ex. 1025)
	N/A					US Patent Application No. 7,555,284 (Yan, Ex. 1026)
	N/A					US Publication No. 2008/0191909 A1 (Mak, Ex. 1027)
	N/A					US Publication No. 2005/0070257 A1 (Saarinen, Ex. 1028)
	N/A					Declaration of Sigurd Meldal on Invalidity of US Patent 9,239,993
	N/A					US Patent 9,239,993 (Ex. 1001)
	N/A					File Wrapper for US Patent 9,239,993 (Ex. 1002)
	N/A					Prior Art Reference US Patent (Gobburu, Ex. 1003)
	N/A					Prior Art Reference US Patent (Miller, Ex. 1004)
	N/A					Prior Art Reference US Patent (Goertz, Ex. 1005)
	N/A					Prior Art Reference US Patent (Koencek, Ex. 1006)
	N/A					Prior Art Reference US Patent (Boston, Ex. 1007)
	N/A					Prior Art Reference US Patent (Blonder, Ex. 1008)
	N/A					ATOC 2008 Mobile Telephone Ticketing Layout Specification (Ex. 1009)
	N/A					EURAIL Magazine – Issue 19 – 2009 (Ex. 1010)
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	N/A					US Patent Publication No. 2004/0030658 A1 (Cruz, Ex. 1012)
	N/A					US Patent No.7,315,944 (Dutta, Ex. 1013)
	N/A					US Publication 2008/0191909 (Mak, Ex. 1014)
	N/A					Invalidity Chart for Terrell (Ex. 1015)
	N/A					Invalidity Chart for Cruz (Ex. 1016)
	N/A					Invalidity Chart for Dutta/Mak (Ex. 1017)
	N/A					Article on France TGV Ticket Validation – 2008 (Ex. 1018)
	N/A					US Publication 2005/0137889 (Wheeler, Ex. 1019)
	N/A					US Publication 2008/0052192 (Fisher, Ex. 1020)
	N/A					Article in the IEEE entitled “A Mobile Ticket Validation by VSS Tech with Time-Stamp” in 2004 (Chen, Ex. 1021)
	N/A					US Publication 2005/0240484 (Yan, Ex. 1022)
	N/A					US Publication 2009/0182634 (Park, Ex. 1023)
	N/A					NGRG Mobile Ticket Layout Proposal 2008 (Ex. 1024)
	N/A					https://leumund.ch/das-sbb-iphone-billet-003502
	N/A					https://leumund.ch/sbb-tickets-am-iphone-kaufen-006683
	N/A					https://www.youtube.com/watch?v=1UI2jLsisXw
	N/A					https://blog.quelbazar.ch/en/les-cff-ont-vendu-plus-dun-million-de-mobile-tickets-2/
	N/A					https://smsisthenewblack.wordpress.com/2009/02/04/get-train-tickets-on-your-phone/
	N/A					https://blogit.realwire.com/crosscountry-launches-mobile-phone-ticketing-for-uk-travellers
	N/A					https://eandt.theiet.org/content/articles/2009/01/crosscountry-launches-mobile-phone-ticket-trial/
	N/A					http://www.gautrain.co.za/newsroom/2008/07/heathrow-express-launches-e-ticketing/

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	N/A					https://web.archive.org/web/20100614051638/http://www.masabi.com:80/tour/operators/
	N/A					https://www.slideshare.net/gvandutt/mobile-based-ticketing-a
	N/A					http://www.thejoekorner.com/tokens/index-centennial.html
	N/A					http://newsroom.sprint.com/sprint-to-bring-mobile-ticketing-to-monorail.htm
	N/A					https://phone.news/ctia-the-sprint-powered-monorail-1228/
	N/A					http://theponderingprimate.blogspot.co.uk/2006/04/sprint-offers-mobile-ticketing-for.html
	N/A					http://www.tomshardware.co.uk/sprint-nextel-mobiletickets-lasvegas-monorail.news-19622.html
	N/A					http://www.businesswire.com/news/home/20060404005312/en/Sprint-Bring-Mobile-Ticketing-Monorail-Las-Vegas
	N/A					Declaration of Wayne Lee, 2017 (Ex. 1025)
	N/A					UK Patent Application No. GB 2390211 A (Standford, Ex. 1026)
	N/A					European Patent Application No. EP1439495 A1 (Roldan, Ex. 1027)
	N/A					US Patent Application No. 7,555,284 (Yan, Ex. 1028)
	N/A					US Publication No. 2008/0191909 A1 (Mak, Ex. 1029)
	N/A					US Publication No. 2005/0070257 A1 (Sarrinen, Ex. 1030)
	N/A					Petition for Inter Partes Review of United States Patent No. 8,494,967 Pursuant to 35 U.S.C. §§ 311-319, 37 C.F.R. § 42
	N/A					Ex. 1001 USPN Patent No. 8,494,967
	N/A					Ex. 1002 Amended Complaint, Civil Action No. 2:16-cv-00543-JRG-RSP
	N/A					Ex. 1003 '967 Patent File Wrapper
	N/A					Ex. 1004 Declaration of Expert, Dr. Sigurd Meldal
	N/A					Ex. 1005 United States Publication 20080288302 to <i>Dauok</i>
	N/A					Ex. 1006 USPN 6,175,922 to <i>Wang</i>
	N/A					Ex. 1007 United States Publication 20010014870 to <i>Saito</i>

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	N/A					Ex. 1008 United States Publication 20080308638 to <i>Hussey</i>
	N/A					Ex. 1009 United States Publication 20100279610 to <i>Bjorhn</i>
	N/A					Ex. 1010 WO Publication 2009/141614 to <i>Terrell</i>
	N/A					Ex. 1011 US Publication 2004/0030658 to <i>Cruz</i>
	N/A					Ex. 1012 US Patent 7,315,944 to <i>Dutta</i>
	N/A					Ex. 1013 Anticipation Chart Terrell
	N/A					Ex. 1014 Anticipation Chart Cruz
	N/A					Ex. 1015 Anticipation Chart Dutta
	N/A					Ex. 1016 Power of Attorney
	N/A					Patent Owner Bytemark's Preliminary Response
						Masabi's Economic Rebuttal Report by Andrew M. Malec, Ph.D. 9/13/2017
	N/A					Deposition of Matt Jones exhibits, dated July 6, 2017 (MAS-014604 – MAS-014664)
	N/A					Deposition of Benjamin Whitaker exhibits, dated July 6, 2017 (MAS-014665 – MAS-014721)
	N/A					Deposition of Thomas Godber exhibits, dated July 6, 2017 (MAS-014722 – MAS-014836)
	N/A					Masabi Financial Data (MAS-001750, MAS-002146 – MAS-002157, MAS-005110 – MAS-05111, MAS-005172 – MAS-005203, MAS-005210 – MAS005234, MAS-005291 – MAS-005305)
	N/A					Masabi US Limited Annual Reports and Financial Statements 2013 - 2016 (MAS-005235 – MAS-005290)
	N/A					Bytemark Financial Data (Bytemark-908 – Bytemark-910, Bytemark-976, Bytemark-1409 – Bytemark-1411, Bytemark-2192 – 2212, Bytemark-2213 – Bytemark-2216)
	N/A					Des Moines Area Regional Transit Authority, <i>Contract Agreement with Bytemark</i> , dated December 15, 2016 (MAS-012850 – MAS-012915)
	N/A					Metro-North Commuter Railroad Company, <i>RFP for Contract No. 8836-A & Notice of Award to Masabi</i> , dated May 1, 2014 (MAS-012916 –

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						MAS-013045)
	N/A					Massachusetts Bay Transportation Authority, <i>Cooperation and Service Pilot Agreement with Masabi</i> , dated April 20, 2012 (MAS-013046 – MAS-013072)
	N/A					Massachusetts Bay Transportation Authority, <i>Agreement with Masabi</i> , dated May 16, 2016 (MAS-002158 – MAS-002286)
	N/A					Massachusetts Bay Transportation Authority, <i>Request for Information: Commuter Rail Mobile Ticketing Solutions</i> , dated December 1, 2011 (MAS-013073 – MAS-013077)
	N/A					Metrolink, <i>Contract Agreement with Masabi</i> , dated March 13, 2015 (MAS-002028 – MAS-002081)
	N/A					Metrolink, <i>Board of Directors Meeting Minutes</i> , March 13, 2015 (MAS-013366 – MAS-013436)
	N/A					Metropolitan Transit System, <i>Standard Services Agreement for Hosted Mobile Ticketing System Pilot Project with Masabi</i> , dated August 19, 2013 (MAS-001751 – MAS-001821)
	N/A					Metropolitan Transportation Authority, <i>MTA Board Meeting Minutes</i> , April 30, 2014 (MAS-013078 – MAS-013365)
	N/A					Nassau Inter-County Express, <i>Services Agreement for Implementation of the JustRide Fare Payment System with Masabi</i> , dated January 10, 2014 (MAS-001863 – MAS-001920)
	N/A					New Orleans Regional Transit Authority, <i>Statement of Work by Masabi</i> , dated July 9, 2014 (MAS-002106 – MAS-002145)
	N/A					Regional Transportation District (Denver), Board of Directors Report, “Award of Mobile Ticketing Contract,” dated April 18, 2017 (MAS-014837 – MAS-014839)
	N/A					Regional Transportation Commission of Southern Nevada, <i>Services Agreement for Implementation of the JustRide Fare Payment System with Masabi</i> , dated November, 2015 (MAS-001921 – MAS-002013)
	N/A					Sacramento Regional Transit District, <i>Contract for Mobile and Online Fare Application with Bytemark</i> , dated March 9, 2017 (MAS-013437 – MAS-013445)

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	N/A					Santa Clara Valley Transportation Authority, <i>Service Agreement for Implementation of the JustRide Fare Payment System</i> , dated May 1, 2014 (MAS-001822 – MAS-001862)
	N/A					Santa Clara Valley Transportation Authority, <i>Administration & Finance Committee, Meeting Minutes</i> , September 18, 2014 (MAS-013446 – MAS-013640)
	N/A					Blue Technologies Limited Organizational Chart (MAS-002027)
	N/A					Blue Technologies Limited, Annual Report 2015 (MAS-013641 – MAS-013661)
	N/A					Bytemark, Inc. Website, “Company Information,” available at https://www.bytemark.co/about (MAS-013839 - MAS-013848)
	N/A					Email from Ben Whitaker (Masabi CEO), “Fwd: Bytemark Action against Globe Sherpa,” dated December 20 - 23, 2013 (MAS-004743 – MAS004744)
	N/A					License Executives Society, <i>2014 High Tech Deal Term & Royalty Rate Survey Report</i> , October 2015 (MAS-005112 – MAS-005171)
	N/A					Masabi: North America Competitor Landscape (MAS-013662 – MAS013665)
	N/A					Masabi Ltd. website, “About Masabi,” available at http://www.masabi.com/ (MAS-013849 – MAS-013862)
	N/A					Metro North Railroad, Letter from Howard Permut (President) to Contractors (RFP No. 8836-A), dated January 13, 2013 (MAS-013666 – MAS-013838)
	N/A					Patent License Agreement between Bytemark and Globesherpa, Inc, dated May 9, 2014 (Bytemark-861 – Bytemark-880)
	N/A					Petition for Inter Parties Review of United States Patent No. 8,494,967 Pursuant to U.S.C §§ 311-319, 37 C.F.R. § 42, dated May 18, 2017 (MAS-013863 – MAS-014588)
	N/A					United States Patent and Trademark Office, “Patent Trial and Appeal Board Statistics,” March 31, 2017 (MAS-014589 – MAS-014603)
	N/A					Tokenization docs (MAS-18409 – MAS-18562)
	N/A					Masabi’s Claim Construction Extrinsic Evidence Pursuant to Local Patent Rule

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
						4.4 Source: https://en.oxforddictionaries.com/ 4/5/2017 Oxford Online Dictionary
	N/A					Bytemark's e-mail of 4/24/2013 (BYTEMARK-2052 – BYTEMARK-2053)
	N/A					Bytemark's e-mail of 12/27/2013 (BYTEMARK-2113 – BYTEMARK-2114)
	N/A					Bytemark's e-mail of 6/9/2014 (BYTEMARK-2054)
	N/A					Bytemark's e-mail of 8/6/2014 (BYTEMARK-2082 – BYTEMARK-2096)
	N/A					Bytemark's e-mail of 2/18/2014 (BYTEMARK-2099)
	N/A					Bytemark's e-mail of 6/9/2014 (BYTEMARK-2116 – BYTEMARK-2122)
	N/A					Masabi's Research Paper of Fare Collections (BYTEMARK-2179 – BYTEMARK-2191)
	N/A					Bytemark's 5/2/2014 e-mail to Nat Parker (BYTEMARK-2067 – BYTEMARK-2068)
	N/A					Bytemark's e-mail of 8/11/2015 (BYTEMARK-2060 – BYTEMARK-2061)
	N/A					Bytemark's e-mail of 1/28/2015 (BYTEMARK-2062 – BYTEMARK-2064)
	N/A					Bytemark's e-mail dated 10/25/2012 (BYTEMARK-2073 – BYTEMARK-2074)
	N/A					Bytemark's e-mail of 7/11/2013 (BYTEMARK-2100 – BYTEMARK-2101)
	N/A					Bytemark's e-mail of 12/27/2013 (BYTEMARK-2113 – BYTEMARK-2114)
	N/A					Bytemark's e-mail dated 12/7/2015 (BYTEMARK-2129 – BYTEMARK-2130)
	N/A					Request to Dart from Richard Gallo for Bytemark's Bid Docs (BYTEMARK-2169 – BYTEMARK-2174)
	N/A					Bytemark's Mobile Ticketing RFP (BYTEMARK-911 – BYTEMARK-995)
	N/A					Bytemark's Tampa Proposal (BYTEMARK-996 – BYTEMARK-1046)
	N/A					NDA Between Bytemark and INIT Innovations (BYTEMARK-1047 – BYTEMARK-1051)

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
	N/A					Agreement between Bytemark and INIT Innovations (BYTEMARK-1052 – BYTEMARK-1067)
	N/A					Agreement between Bytemark and KCC (BYTEMARK-1068 – BYTEMARK-1093)
	N/A					Agreement between Bytemark and Des Moines Area Reg. Trans. Auth (DART) (BYTEMARK-1094 – BYTEMARK-1161)
	N/A					Executive Summary of Bytemark (BYTEMARK-1682 – BYTEMARK-1684)
	N/A					Xerox Presentation (BYTEMARK-1685 – BYTEMARK-1693)
	N/A					Solicitation Summary (BYTEMARK - 1694 – BYTEMARK-1701)
	N/A					Bytemark's Series A Investment Opportunity (BYTEMARK-1702 – BYTEMARK-1745)
	N/A					Bytemark email re: Masabi (BYTEMARK-1753 – BYTEMARK-1755)
	N/A					Bytemark email re: Masabi (BYTEMARK-1756 – BYTEMARK - 1765)
	N/A					Bytemark email re: Masabi (BYTEMARK-1768 - BYTEMARK 1770)
	N/A					Bytemark email re Masabi (BYTEMARK-1771 – BYTEMARK-1773)
	N/A					Bytemark email re American Eagle is finalist on bid (BYTEMARK-1775 BYTEMARK-1776)
	N/A					Bytemark email re competitors (BYTEMARK-1789)
	N/A					Bytemark email re Masabi (BYTEMARK-1804)
	N/A					Bytemark email re Masabi launch (BYTEMARK-1826 - BYTEMARK-1827)
	N/A					Bytemark email re lost Thames deal (BYTEMARK-1828 - BYTEMARK-1829)
	N/A					Bytemark is in the “payments industry” (BYTEMARK-1830)
	N/A					Bytemark email about Masabi (BYTEMARK-1834 - BYTEMARK-1835)
	N/A					Bytemark email about fund rising (BYTEMARK-1836 - BYTEMARK-1837)
	N/A					Bytemark Email (BYTEMARK-1844 – BYTEMARK-1845)
	N/A					Bytemark email re competitors (BYTEMARK-1880 – BYTEMARK-

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
						1882)
	N/A					Bytemark email re CooCoo (BYTEMARK-1883 - BYTEMARK-1884)
	N/A					Bytemark email re cubic (BYTEMARK-1889 – BYTEMARK-1890)
	N/A					Bytemark email regarding cutting expense to avoid layoffs (BYTEMARK-1893)
	N/A					Bytemark email re uses of funding (BYTEMARK-1897 - BYTEMARK-1898)
	N/A					Bytemark email about preparing for litigation (BYTEMARK-1924 - BYTEMARK-1926)
	N/A					Bytemark email regarding why they are different 1930 – BYTEMARK-1931)
	N/A					2016 Masabi White Paper on 9 Trends Shaping The Future Of Transport Ticketing (BYTEMARK-1955 – BYTEMARK-1961)
	N/A					Bytemark’s advertising (BYTEMARK-1962 – BYTEMARK-1969)
	N/A					Saarinen ‘257– ticket token + visual validation (MAS-000044 – MAS-000066)
	N/A					Yan ‘284 – visual validation (MAS-001132 – MAS-001139)
	N/A					Chapman – visual validation (MAS-001579 – MAS-001618)
	N/A					Saarinen ‘637 - - ticket token + visual validation
	N/A					Hay – token with visual US 2003/0163787 A1
	N/A					Forbes – visual validation US 2010/0219234 A1
	N/A					Choeng – visual validation WO 2007/139348 A1
	N/A					12-20-13 Masabi email regarding GlobeSherpa law suit (MAS-9633 – MAS-9637)
	N/A					ATOC prior art (MAS-5306 – MAS-5317)
	N/A					EuroRail magazine (MAS-5204 – MAS-5209)
	N/A					Mobile ticket layout proposal June 2008 (MAS-5318 – MAS-5322)
	N/A					EURAIL Mag Issue 19 (MAS-5323 – MAS-5329)
	N/A					May 18, 2010, article from The Register “Blighty to get mobe-download barcode rail tickets” (MAS-5330)
	N/A					Masabi advertisement (MAS-5333 – MAS-5339)
	N/A					Mobile Ticket Layout Proposal (MAS-5340 – MAS-5343)

Trial Exhibits	Depo. Ex. No.	Objections	Date Offered	Marked	Admitted	Description of Exhibits and Witnesses
	N/A					Masabi Install Workflow (MAS-5345 – MAS-5347)
	N/A					“Showing your ticket to the guard” (MAS-5375 – MAS-5376)
	N/A					Masabi e-mail of 12/10/2009 (MAS-5379 – MAS-5380)
	N/A					Invoice 101001 (MAS-5381 – MAS-5384)
	N/A					Invoice 105004 (MAS-5388 – MAS-5397)
	N/A					Development Agreement (MAS-5398 – MAS-5408)
	N/A					Leumund.ch doc (MAS-5415 – MAS-5428)
	N/A					“SMS is the new black” (MAS-5429 – MAS-5435)
	N/A					“heathrow express launches e-ticketing” (MAS-5436 – MAS-5441)
	N/A					Leumund.ch doc (MAS-5528 – MAS-5540)
	N/A					“sprint to bring mobile ticketing to monorail” (MAS-5541 – MAS-5542)
	N/A					“sprint offers mobile ticketing for vegas monorail” (MAS-5548)
	N/A					“France TGV train ticket validation-punching) (MAS-5577 – MAS-5578)
	N/A					“JustRide – MTS – Group Tickets” (MAS-7031)
	N/A					UK Rail App Workflow (MAS-12845)
	N/A					PCI Data Security Standard (MAS-18438 – MAS-18512)
	N/A					“shift4 releases tokenization in depth white paper” (MAS-18513 – MAS-18547)
	N/A					“Shift4 releases new technology to insure the security of its merchants’ and partners’ payment processing” (MAS-18548 – MAS-18562)

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that all known counsel of record who are deemed to have consented to electronic service are being served with a copy of this document on this this 1st day of October, 2017.

By: /s/ Lisa M. Conner
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